

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION

MYRA FOSTER
On Behalf of Her Mother, Louise Foster

PLAINTIFF

VS.

CIVIL NO. 4:21CV00056-DMB-JMV

**CLEVELAND NURSING AND
REHABILITATION CENTER, LLC,
ET AL.**

DEFENDANTS

ORDER STAYING CERTAIN PROCEEDINGS

This case is before the Court pursuant to L.U.CIV.R. 16(b)(3)(B). Rule 16(b)(3)(B) provides:

[f]iling a motion to compel arbitration, or a motion asserting an immunity defense or jurisdictional defense stays the attorney conference and disclosure requirements and all discovery, pending the court's ruling on the motion, including any appeal. Whether to permit discovery on issues related to the motion and whether to permit any portion of the case to proceed pending resolution of the motion are decisions committed to the discretion of the court, upon a motion by any party seeking relief.

On May 6, 2021, Defendants filed a motion [4] to dismiss based in part on an immunity defense. Accordingly, all proceedings enumerated in Rule 16(b)(3)(B) are STAYED, pending a ruling on the immunity motion. If a party desires that any stayed matter proceed, it must file a motion requesting same within fourteen (14) days of the date of this order.

SO ORDERED this 7th day of May, 2021.

/s/ Jane M. Virden
U.S. Magistrate Judge